

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BUILDING SERVICE 32BJ HEALTH FUND,
BUILDING SERVICE 32BJ PENSION FUND,
BUILDING SERVICE 32BJ LEGAL SERVICES FUND,
BUILDING SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND, and
BUILDING SERVICE 32BJ SUPPLEMENTAL
SAVINGS AND RETIREMENT FUND,

Docket No.:
08-CV-6741 (DAB)(MHD)

RULE 7.1 STATEMENT

Plaintiffs,

-against-

SUPERIOR MAINTENANCE, INC., SUPERIOR
MAINTENANCE OF WESTCHESTER, INC. AND JCB,
INC. d/b/a SUPERIOR MAINTENANCE,

Defendants.

-----X

SIRS:

Pursuant to Rule 7.1 [formerly local general Rule 1.9] of the Local Rules of the United States District Court for the Southern District of New York and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for the defendants certify that the following are corporate parents, affiliates and/or subsidiaries of said parties which are publicly held. **NONE.**

Dated: White Plains, New York
August 26, 2008

Yours, etc.,
TRIVELLA, FORTE & SMITH, LLP

By: RAQUEL A. WILLIAMS, ESQUIRE (RW 4641)
Attorneys for the Defendants
1311 Mamaroneck Avenue, Suite 170
White Plains, New York 10605
Telephone: (914) 949-9075

To: IRA A. STURM, ESQ.
RAAB, STURM, GOLDMAN
& GANCHROW, LLP
Attorneys for the Plaintiffs
317 Madison Avenue, Suite 1708
New York, New York 10017
Telephone: (212) 683-6699

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

MICHELLE SALERNO, being duly sworn, deposes and says:

That I am not a party to this action; am over 18 years of age and reside in Westchester County, New York; that on the 26th day of August, I served the within RULE 7.1 STATEMENT in the action, Building Service 32BJ Health Fund et al. v. Superior Maintenance, Inc. et al., 08-CV-6741 (DAB)(MHD) upon:

IRA A. STURM, ESQ.
RAAB, STURM, GOLDMAN & GANCHROW, LLP
317 Madison Avenue, Suite 1708
New York, New York 10017

by depositing a true copy of the same enclosed in a post-paid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

MICHELLE SALERNO

Sworn to before me this
20th day of August, 2008.

Notary Public
RAQUEL A. WILLIAMS
 Notary Public, State of New York
 No. 02WI6072574
 Qualified in Westchester County
 Commission Expires April 8, 2010

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2008, I served the foregoing RULE 7.1 STATEMENT on Ira A. Sturm, Esq. of Raab, Sturm, Goldman & Ganchrow, LLP, Attorneys for the Plaintiff, by electronic mail, in the action, Building Service 32BJ Health Fund et al. v. Superior Maintenance, Inc. et al., 08-CV-6741 (DAB)(MHD).

 TRIVELLA, FORTE & SMITH, LLP

By: RAQUEL A. WILLIAMS, ESQUIRE (RW 4641)
Attorneys for the Defendants
1311 Mamaroneck Avenue, Suite 170
White Plains, New York 10605
Telephone: (914) 949-9075